

COMMITTEE	GENERAL LICENSING COMMITTEE
DATE:	10 March 2025
TITLE:	REVIEW OF CYNGOR GWYNEDD TAXI POLICIES - Combined Hackney Carriage/Private Hire Vehicle Driving Licensing Policy - Hackney Carriages/Private Hire Vehicles Licensing Policy - Private Hire Operators Licensing Policy -Suitability Criteria for Drivers and Operators Policy
PURPOSE:	UPDATE AND OBTAIN THE COMMITTEE'S SUPPORT ON THE REVIEW PRIOR TO PUBLIC CONSULTATION ON A COMBINED TAXI LICENSING POLICY
AUTHOR:	HEAD OF ENVIRONMENT DEPARTMENT

1.0 GENERAL INFORMATION

- I.1 The current policies in relation to drivers, vehicles and operators were approved by the General Licensing Committee on 22 October 2010 and came into force on 1 December 2010.
- I.2 Since 2010, minor changes have been made to the combined Hackney Carriage/Private Hire Driving Licensing Policy in 2014, along with a review of the 'Suitability Criteria for Drivers and Operators' policy.
- I.3 On 22 June 2015, the General Licensing Committee resolved that it was necessary to update and review the Taxi Licensing policies because of the increase in the number of applications to license vehicles that did not comply with the policy and as a result of the Deregulation Act 2015.
- I.4 A report was submitted to this Committee on 14 September 2015 outlining the high-level direction of the proposed changes to the policy; and this Committee authorised the Head of Environment Department to commence a review of the licensing policies in relation to hackney and private hire operators, vehicles and drivers; and support proposals for general direction as a starting point for the review.
- I.5 You may remember that a proposal had been received to create a combined 'Gwynedd Council Taxi Policy', rather than having three separate policy documents as currently exist. The combined policy would also include a policy on 'Suitability Criteria for Drivers and Operators'; guidelines on deciding whether a person is 'suitable and appropriate' to be a driver or operator. The Combined policy will also include licensing conditions and vehicle standards.
- I.6 One of the matters that came to the fore during the early phase of research for reviewing the policies, was the existence of by-laws that had not been highlighted in the 2010 review of taxi policies but which were referred to in 2003. The purpose of the by-laws is to ensure conditions for hackney vehicle driver licences. The Legal Department confirmed that the by-laws still existed; thus, in accordance with procedure and accuracy, the by-laws must be included in the new combined Taxi policy.

- I.7 In 2017, this Committee decided on high-level proposals for proposed changes to the policies. (see appendix). The proposals for the proposed changes to the policies and conditions were partly developed to realise action points drawn up following the Ffordd Gwynedd exercise in 2016.
- I.8 The proposals made at the time also emphasise the importance of checks to ensure taxi drivers are fit and suitable; and that new conditions ensure a driver's understanding and awareness of the importance of safeguarding children and vulnerable adults.
- I.9 The policy and conditions for drivers will also be updated to reflect the legislative requirements including the 2016 Immigration Act and the 2015 Deregulation Act; and will reflect the most recent good practice guidance.
- I.10 Members of this Committee agreed that a combined policy that ensures fair and consistent service across the County needed to be introduced, and to remove the three zones that have historically existed for the sake of fairness and consistency, and to try to meet the needs of the industry and users.
- I.11 The 'Grandfather Rights' status for Arfon hackney carriage proprietors will be removed from the policy and all proprietors will be subject to the same conditions and vehicle requirements, throughout the county.
- I.12 All proprietors will be encouraged to licence as many wheelchair accessible hackney carriages as they deem necessary. However, Cyngor Gwynedd will impose a requirement that for every 7 licensed hackney carriages in a proprietor's fleet at least 1 hackney carriage of that 7 must be a wheelchair accessible vehicle. Therefore if the fleet size was 14 hackney carriages, the requirement would be at least 2 of the 14 vehicles be wheelchair accessible.

2.0 TRANSPORT FOR WALES STRATEGY 2021; AND THE WHITE PAPER - THE TAXIS AND PRIVATE HIRE VEHICLES BILL 2023

- 2.1 The Welsh Government conveyed its intention during 2018 to review the regulation of the taxi industry in Wales; and Cyngor Gwynedd, as most local authorities in Wales at the time, decided to postpone consultation on reviews of Taxi Licensing policies and halt the process until the Welsh Government's direction was clear as to any pending changes.
- 2.2 In 2021, the Welsh Government published its Transport Strategy, which set out a vision in relation to the regulation of the taxi industry.
- 2.3 Later in 2021, National Standards for the Taxi Industry were published, with the intention of promoting consistency throughout Wales in terms of requirements on the taxi industry and requirements to ensure Public Safety and commercial fairness.
- 2.4 In 2023 the Welsh Government published its White Paper: The Taxi and Private Hire Vehicles Bill. A consultation was undertaken on the White Paper to seek stakeholder

views on reviewing the legislation in relation to the regulation of the taxi industry; and to ensure the introduction of consistent and fair mandatory standards that would ensure the safety of the public.

- 2.5 Officers from the Welsh Government's Transport Department have highlighted to the Welsh Licensing Expert Panel, (which includes representation from each Council's Licensing services in Wales) that the Senedd will not move forward during its current term to act on legislative recommendations arising from the White Paper. Instead, the Licensing Authorities are being urged to review their taxi policies to ensure alignment with the National Taxi Standards published in 2021.

3.0 PROPOSED AMENDMENTS TO THE TAXI POLICIES IN GWYNEDD

- 3.1 The licensing processes and conditions for drivers, vehicles and taxi operators in Gwynedd are already in line with the vast majority of the expectations contained in the National Taxi Standards.
- 3.2 There are some safeguarding measures that have been added to the licence application process over the last 3 years that have not yet been incorporated in the current policy – such as
- Ensuring that an applicant for a licence receives a medical examination in accordance with DVLA Group 2 standard
 - Ensuring that drivers undertake Child Safeguarding Training as part of the licence application process
 - That a check on a national criminal intel system is carried out for every new driver's licence applications
- 3.3 It is intended to officially incorporate these measures in the new combined policy, and together with any high-level changes already agreed by this Committee

4.0 CONSULTATION

- 4.1 The revised combined policy will be subject to a public consultation. The formal consultation period will last 28 days. The responses to the consultation document will be fully considered before the policy is approved by the General Licensing Committee.
- 4.2 This Committee will have an opportunity in the next 12 months to give an opinion on the draft policy before any consultation.

5.0 CONCLUSIONS AND RECOMMENDATION

- 5.1 It is intended to change the current Licensing policies so as to ensure the provision of a consistent and fair service across the county, which also meets the needs of the industry and users - by keeping safety considerations as the core foundation in the direction of the policy.
- 5.2 Members' approval is sought to review the policy in accordance with the principles agreed in 2017, and to align with national Standards.
- 5.3 Members' views are also sought on whether any other issues should be addressed in respect of the high-level direction of the policy as part of the review.